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SUBJECT: CONGRESSMAN CHRISTOPHER SMITH REVIEWS NATIONAL ANTI-TIP
EFFORTS IN NIGERIA

REF: 05 LAGOS 1955

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¶1. (U) Summary: Nigeria Trafficking in Persons (TIP) experts told Congressman Christopher Smith during his February 20-22 visit to Abuja that Nigeria's anti-TIP network does not include the military. Victims' lack of marketable skills, parents' ignorance of the dangers of trafficking, cultural values, and the power of traditional religion to sway some young girls, are barriers to reducing Nigeria's trafficking problem. End Summary.

Discussion of TIP Issues with the Ambassador

¶2. (U) On February 21 at a luncheon hosted by the Ambassador, Congressman Christopher Smith discussed trafficking in persons (TIP) with Italian Ambassador Massimo Baistrocchi, National Agency for Prohibition of Traffic in Persons and Other Related Matters (NAPTIP) Chief Executive Carol Ndaguba, American Bar Association (ABA) Country Director Reed Slack, and International Narcotics and Law Enforcement (INL) Officer Robert Downey.

¶3. (U) The Congressman told the group he has asked the Department of Defense (DOD) to get involved on TIP issues, arguing trafficking constitutes a health issue for DOD. Congressman Smith noted the DOD developed a set of "best practices" on TIP and asked if the Nigerian military has done the same. Congressman Smith said he had observed that Nigerians trafficked to Italy are very frightened of traditional religion and oaths made pursuant thereto, which are used by traffickers to intimidate victims into submission and silence. Congressman Smith also asked the group to discuss victim rehabilitation programs, and whether churches are integrated into the TIP network.

¶4. (U) The Ambassador told Congressman Smith that he will seek more information about DOD best practices from the Embassy's Defense Attache. The Ambassador promised to bring up the subject of trafficking with his Nigerian military contacts. In Nigeria TIP is not only sexual but derived largely from the need for cheap labor, the Ambassador told the Congressman. Rehabilitation has come in the form of vocational training, usually sewing or hairdressing skills.

¶5. (U) On rehabilitation the Italian government gave a medal to Nigerian artist Nike Ogundaye-Davies for her work in rehabilitating trafficking victims once they returned to Nigeria, the Italian

Ambassador told the Congressman. Through her Nike Art Centre, Ogundaye has established a training program to enable victims to develop their skills and ability to earn livings as artists.

¶6. (U) Reed Slack of the ABA said that one largely unexplored problem is the need to reduce the demand for trafficking. Slack mentioned that many female TIP victims need training to avoid going back into prostitution; however, most victims do not have marketable skills.

¶7. (U) Downey said that according to a NAPTIP study, the three largest sources of returnees to Nigeria for trafficking are Italy, Spain and Libya.

¶8. (U) Ndaguba said NAPTIP has worked to reduce the demand side, but more needs to be done. NAPTIP conducted a sensitization visit to Abeokuta, where NAPTIP officials are working with locals employing Beninese children on farms. One of the problems NAPTIP faces is making parents more aware of the dangers of trafficking. According to Ndaguba, the view of Nigerian parents with large families it is acceptable to sacrifice one child for work or prostitution in order to support the rest of the family.

¶9. (U) Ndaguba said traditional religion is just one of the many deception tactics traffickers use to trick their victims. Traditional religion priests operate separately from the trafficking network, but are often hired by traffickers to intimidate victims for a small fee. Ndaguba believes these priests work, not for financial gain, but for power. Regardless of the motivation of the priests, many victims are frightened by the incantations and threats.

¶10. (U) Ndaguba said churches are included in the anti-trafficking network, which also includes the police, Nigerian Immigration Service (NIS), local government, traditional rulers, and nongovernmental organizations. Ndaguba said a USAID initiative helped NAPTIP form the anti-trafficking network in 2004. However,

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Ndaguba said the military was not involved and has not had TIP sensitization training.

NAPTIP Discusses Prosecution Efforts and Trafficking

¶11. (U) On February 22 Congressman Smith visited the NAPTIP offices. The Congressman noted that his purpose was to better understand NAPTIP efforts and see where the US Government (USG) could assist. At NAPTIP Congressman Smith met Ndaguba and U.S. Haruna, NAPTIP Director of Legal Affairs and Prosecution. Congressman Smith said Sister Eugenia in Rome told him about the problem of Nigerians being trafficked to Italy.

¶12. (U) Haruna overviewed NAPTIP efforts to prosecute traffickers. In 2006 NAPTIP took 17 cases to trial and obtained 3 convictions. Haruna said NAPTIP had to gauge the willingness and ability of victims to testify against their traffickers. Usually very young, the victims are often too traumatized and too frightened to testify, Haruna said.

¶13. (U) Haruna said there was a wide gap between investigated cases and prosecutions. While NAPTIP investigated 81 cases last year, this only resulted in 3 convictions. Most major traffickers do not reside in Nigeria and NAPTIP could only prosecute lower level players. Haruna said the courts were slow in prosecuting cases as the judges look at the law and find it difficult to determine that trafficking was actually involved. Often presumed TIP cases turn out to be child labor, and under Nigerian law this does not constitute trafficking, Haruna said. For example, in the highly publicized case of 40 children found in a truck outside Lagos, NAPTIP determined the case was not trafficking. The woman facilitating the trafficking had the consent of the parents and the children told NAPTIP they were not being exploited. (Comment: This represents a significant loophole in the law. A case could have elements of both trafficking and unfair labor practices. End

comment)

¶14. (U) Haruna said immigration authorities and police sometimes did not understand the difference between migration and trafficking. Haruna said the police were not so much complicit in trafficking as ignorant of what constituted trafficking. Often immigration authorities saw trafficking cases as helping someone cross the border. However, Haruna said NAPTIP's work with the police and immigration authorities had sensitized them to report instances of trafficking.

¶15. (U) Ndaguba cited a 2002 UNICEF report which said approximately 15 million children are working in Nigeria. Of this number 40 percent were trafficked, and 92 percent were between 10-18 years old. Haruna said Nigerian officials found 749 young girls involved in prostitution in Italy, although UNICEF estimated tens of thousands. According to Haruna, the Nigerian Embassy in Rome has worked closely with Italian authorities on the trafficking problem.

¶16. (U) Haruna said the numbers from UNICEF are often unreliable because they were based on police estimates and not on Nigerian law. Haruna said under Nigerian law trafficking only takes place if done against the victim's consent, regardless of age.

Visit to Trafficking Database Center

¶17. (U) Congressman Smith visited the area where the new computerized trafficking database will be housed. NAPTIP programmers have been working with the ABA to create a national trafficking database available for law enforcement officials. USAID donated the computer equipment. However, the database center is not yet in operation. The Congressman asked the programmers to make a list of the most pressing needs and he would see how the USG can assist this project.

¶18. (U) Congressman Smith cleared this cable.

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